

REMARKS

Claims 1-21 are pending in the application. Favorable examination in light of the remarks which follow is respectfully requested.

The Examiner is imposing a Election Requirement on the species, categorizing the claims as follows:

Species 1: claims 1-18, 17 and 18, drawn to compounds,
Species 2: claim 9 drawn to compounds,
Species 3: claim 10 drawn to compounds,
Species 4: claim 11 drawn to compounds,
Species 5: claims 12-14 drawn to process of making compounds,
Species 6: claim 15 drawn to compounds,
Species 7: claim 16 drawn to compounds; and
Species 8: claims 19-21 drawn to a method of using compounds.

Applicants elect with partial traverse Species 1 drawn to compounds. Claims 1-18 are readable on the elected species.

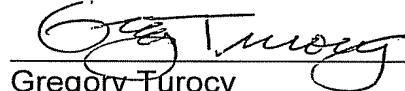
The election is made with partial traverse because it is respectfully submitted that Species 2-5 and 8 can be deemed within the same species as Species 1. More specifically, Species 1 relates to a compound of Formula (1), Species 2-4 relate to an intermediate of the compound of Formula (1), Species 5 relates to a method of making the compound of Formula (1), and Species 8 relates to a method of using the compound of Formula (1). Consequently, Species 1-5 and 8 have a common characteristic of the compound of Formula (1) and have unity in accordance with the PCT unity rules. At the very least, Species 1, 5 and 8 have a common characteristic of the compound of Formula (1) and have unity in accordance with the PCT unity rules.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 50-1063.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP



Gregory Turocy
Reg. No. 36,952

24th Floor
1900 East 9th Street
Cleveland, Ohio 44114
(216) 696-8730
Fax (216) 696-8731